

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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In re: : Chapter 13  
Michael Alexander David :  
: Bk. 19-14074  
:

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**OBJECTION TO CERTIFICATION OF DEFAULT FILED ON JULY 19, 2022**

1. Debtor filed the instant bankruptcy on July 26, 2019.
2. One of Debtor's creditors is SN Servicing Corporation, who is a secured creditor of Debtor on his primary residence.
3. The parties entered into a Stipulation which was approved by this Court on December 16, 2020 resolving a Motion for Relief concerning delinquent mortgage payments.
4. Debtor was unable to make to make the necessary payments pursuant to the stipulation due to financial hardship.
5. Specifically, between May 2022 and July 25, 2022, Debtor was experiencing significant medical impairments, was hospitalized and was unable to make financial payments during this period.
6. Creditor filed a Certification of Default on July 19, 2022 averring that Debtor was delinquent post petition for \$2,384.45. see attached Exhibit A.
7. Debtor has since paid the Default and there is no longer a monetary default. See attached Exhibit B.

**WHEREFORE**, Debtor requests that this Honorable Court sustain the herein Objection to Certification of Default and enter the attached Order.

\s\

Dated: July 28, 2022

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Jermaine Harris, Esquire  
Attorney for Debtor Michael Alexander David  
100 South Broad Street, Suite 1523  
Philadelphia, PA 1910  
(215)385-1091

**IN THE UNITED STATES BANKRUPTCY COURT  
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In re: : Chapter 13  
Michael Alexander David :  
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**ORDER**

AND NOW, this                    day of                   , 2022, upon consideration of  
Debtor's Objection to Certification of Default and any response thereto,

IT IS HEREBY ORDERED THAT Debtor's Objection is SUSTAINED and SN Servicing Corporation's  
Certification of Default is DENIED.

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J.

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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In re:	:	Chapter 13
Michael Alexander David	:	
	:	Bk. 19-14074
	:	

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**CERTIFICATE OF SERVICE OF OBJECTION TO CERTIFICATION OF DEFAULT**

I, Jermaine Harris, Esquire, hereby certify that I served a true and correct copy of Debtor's objection to Certification of Default upon the below listed via the Court's electronic filing system:

Lauren M. Moyer, Esquire  
Friedman Vartolo LLP  
1325 Franklin Avenue, Suite 160  
Garden City, New York 11530

Standing Chapter 13 Trustee  
William C. Miller, Esquire  
PO Box 1229 Philadelphia, PA 19107

\s\

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Jermaine Harris, Esquire  
100 South Broad Street, Suite 1523  
Philadelphia, PA 19110  
(215)385-1091

# EXHIBIT A

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Debtor  
Michael Alexander David  
  
Movant  
v.  
SN Servicing Corporation as servicer  
for U.S. Bank Trust National  
Association as Trustee for the  
Bungalow Series IV Trust  
Debtor  
SCOTT F. WATERMAN  
- Trustee  
  
Respondents

Case No.: 19-14074-amc

Chapter: 13

Judge: Ashely M. Chan

**CERTIFICATION OF DEFAULT**

FRIEDMAN VARTOLO, LLP, attorneys for Movant, hereby certifies that the above-captioned Debtor have failed to comply with the terms of the Stipulation approved by the U.S. Bankruptcy Judge Ashely M. Chan on December 16, 2020. A copy of the Stipulation is attached hereto as Exhibit "A". Debtor is post-petition due for 3 monthly payments at \$791.29 per month for the months of May 1, 2022 – July 1, 2022; accrued late charges of \$143.28; attorneys' fees of \$500.00; less suspense in the amount of \$632.70. The total to post-petition reinstate is \$2,384.45. In accordance with the terms of said Stipulation agreed to by the parties, the Automatic Stay is hereby lifted as to permit Movant to proceed with their State Court remedies upon Debtor's property.

Dated: 7/19/2022

By: /s/ Lauren M. Moyer  
Lauren M. Moyer, Esq.  
FRIEDMAN VARTOLO LLP  
Attorneys for Movant  
1325 Franklin Avenue, Suite 160  
Garden City, New York 11530  
T: (212) 471-5100  
F: (212) 471-5150  
[Bankruptcy@FriedmanVartolo.com](mailto:Bankruptcy@FriedmanVartolo.com)

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Debtor  
Michael Alexander David  
  
Movant  
v.  
SN Servicing Corporation as servicer  
for U.S. Bank Trust National  
Association as Trustee for the  
Bungalow Series IV Trust  
Debtor  
SCOTT F. WATERMAN  
- Trustee  
  
Respondents

Case No.: 19-14074-amc

Chapter: 13

Judge: Ashely M. Chan

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**

UPON consideration of the Certification of Default filed by SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee for the Bungalow Series IV Trust dated \_\_\_\_\_ and with good cause therefore, it is

**ORDERED** the automatic stay, heretofore in effect pursuant to 11 U.S.C. § 362(a), is hereby vacated for cause pursuant to 11 U.S.C. § 362(d)(1) to permit Movant to exercise all rights available to it under applicable law with respect to 6037 Lansdowne Avenue, Philadelphia, PA 19151 and it is further;

**ORDERED** that in the event this case is converted to a case under any other chapter of the U.S. Bankruptcy Code, this Order will remain in full force and effect; and it is further;

**ORDERED** that the Movant shall promptly report to the Chapter 13 Trustee any surplus monies realized by any sale of the Property.

BY THE COURT:

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U.S.B.J.

# Exhibit “A”

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Michael Alexander David  
Debtor

SN Servicing Corporation as  
servicer for U.S. Bank Trust  
National Association, as Trustee of  
the Igloo Series IV Trust  
Movant

Michael Alexander David  
Scott F. Waterman- Trustee  
Respondents

Case No.: 19-14074-amc  
Chapter 13  
Judge: Ashely M. Chan  
Hearing Date:  
October 21, 2020

**CONSENT ORDER RESOLVING CERTIFICATION OF DEFAULT**

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**



**Date: December 16, 2020**

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ASHELY M. CHAN  
United States Bankruptcy Judge

Applicant: SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of the Igloo Series IV Trust  
Applicant's Counsel: Friedman Vartolo LLP  
Debtor's Counsel: Jermaine D. Harris, Esq.  
Property (Collateral): 6037 Lansdowne Avenue, Philadelphia, PA 19151  
Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of Arrearages:

- The Debtor is overdue for 8 months, from April 1, 2020 to November 1, 2020.
- The Debtor is overdue for 8 payments at \$774.62 per month.
- The Debtor is due for 5 stipulation payments, from March 1, 2020 to July 1, 2020.
- The Debtor is due for 5 stipulation payments at \$306.84 per month.
- Suspense Balance is \$306.80

Total Arrearages Due: **\$7,424.36**

2. Cure for Post-Petition Arrearages:

- Debtor shall tender \$7,424.36 to secured creditor on or before December 1, 2020.
- Beginning on December 1, 2020, regular monthly payments shall resume in the amount of \$774.62, or as further defined by the terms of the Note, Mortgage, or any payment change notices.

3. Payments to the Secured Creditor shall be made to the following address:

Payments: SN Servicing Corporation  
P.O. Box 660820  
Dallas, TX 75266

In the event of default:

If the Debtor fails to make regular monthly payments or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the

Bankruptcy Court, Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's Attorney.

The undersigned hereby consent to the form and entry of the foregoing order.

  
\_\_\_\_\_  
Jermaine D. Harris, Esq.  
*Attorney for Debtor*

/s/ Lorraine Gazzara Doyle, Esq.  
Lorraine Gazzara Doyle, Esq.  
*Attorney for Secured Creditor*

/s/ Polly S. Langdon for  
Scott F. Waterman- Trustee

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Association as Trustee for the  
Bungalow Series IV Trust  
Debtor  
SCOTT F. WATERMAN  
- Trustee  
  
Respondents

Case No.: 19-14074-amc

Chapter: 13  
Judge: Ashely M. Chan

**CERTIFICATE OF SERVICE**

I, Lauren M. Moyer, Esquire., certify that on \_\_\_\_\_, I caused to be served a true copy of the annexed **CERTIFICATION OF DEFAULT AND SUPPORTING DOCUMENTS**, by mailing by First Class Mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service addressed to the last known address of the addressee, and the property address as indicated on the attached Service List annexed hereto.

Dated: 7/19/2022

By: /s/ Lauren M. Moyer  
Lauren M. Moyer, Esq.  
FRIEDMAN VARTOLO LLP  
Attorneys for Movant  
1325 Franklin Avenue, Suite 160  
Garden City, New York 11530  
T: (212) 471-5100  
F: (212) 471-5150  
[Bankruptcy@FriedmanVartolo.com](mailto:Bankruptcy@FriedmanVartolo.com)

**SERVICE LIST**

TO:

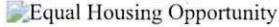
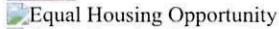
SCOTT F. WATERMAN (Chapter 13)  
Chapter 13 Trustee  
2901 St. Lawrence Ave.  
Suite 100  
Reading, PA 19606  
**Trustee**

JERMAINE D. HARRIS  
Jermaine D. Harris  
21 South 12th Street Suite 100  
Philadelphia, PA 19107  
**Debtor's Counsel**

United States Trustee  
Office of the U.S. Trustee  
200 Chestnut Street  
Suite 502  
Philadelphia, PA 19106  
**U.S. Trustee**

Michael Alexander David  
6037 Lansdowne Ave  
Philadelphia, PA 19151  
**Debtor**

# **EXHIBIT B**

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## View Online Payments

This page will allow you to view all payments made through this website, manage currently scheduled payments and manage your checking account information used to make payments.

### Bank Accounts

Update your existing bank account information or add additional bank accounts.

[Manage Bank Accounts](#)

### Scheduled Payments

No payments have been scheduled on your account. Click here to make a [New Payment](#).

### Online Payment History

These are the past six months of payments that have processed through the online payment system.

Loan	Account	Amount	Payment Date
XXXXXX8736	AMERICAN HERITAGE FCU	\$2,384.45	7/27/2022
XXXXXX8736	AMERICAN HERITAGE FCU	\$774.62	7/1/2022
XXXXXX8736	AMERICAN HERITAGE FCU	\$620.97	4/29/2022
XXXXXX8736	WELLS FARGO BANK	\$620.97	3/17/2022
XXXXXX8736	WELLS FARGO BANK	\$620.97	2/7/2022

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